

**MINUTES OF THE
NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT INTERIM COMMITTEE**

Wednesday, October 17, 2018 • 8:30 a.m. • 30 House Building

Members Present:

Rep. Keven J. Stratton, Chair
Sen. Allen M. Christensen
Sen. David P. Hinkins
Sen. Jani Iwamoto
Rep. Carl R. Albrecht
Rep. Patrice M. Arent
Rep. Stewart E. Barlow
Rep. Scott H. Chew
Rep. Susan Duckworth
Rep. Stephen G. Handy
Rep. Timothy D. Hawkes
Rep. Marsha Judkins

Rep. Michael E. Noel
Rep. Derrin R. Owens
Rep. Scott D. Sandall
Rep. Mike Schultz
Rep. Christine F. Watkins

Members Absent:

Sen. Keith Grover, Chair
Sen. Evan J. Vickers

Staff Present:

Mr. J Brian Allred, Policy Analyst
Ms. Amy L. West, Associate General Counsel
Ms. Cassidy Hansen, Administrative Assistant

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Rep. Keven J. Stratton called the meeting to order.

1 . Working Groups Final Report and Conclusions

Michael Styler, Executive Director, Department of Natural Resources, gave background information regarding the working groups.

[Utah Water Task Force Subcommittees Reports](#)

Steven Clyde, Attorney, Clyde Snow & Sessions, discussed recommendations and suggested legislation from the Constitutional Amendment on Municipal Water Rights Working Group.

[Article XI](#)

Boyd Clayton, Utah Division of Water Rights, discussed recommendations and suggested legislation from the Water Supply and Surplus Water Working Group.

[Draft Legislation "Water Supply and Surplus Water Amendments"](#)

[Working Group Attendees 2018](#)

Wendy Fisher, Executive Director, Utah Open Lands, discussed recommendations from the Private Property Rights Working Group.

[Private Property Rights Presentation](#)

[Extraterritorial Jurisdiction Presentation](#)

Marie Owens, Director, Division of Drinking Water, discussed recommendations and suggested legislation from the Extraterritorial Jurisdiction Working Group.

[Draft Legislation "Extraterritorial Jurisdiction Amendments"](#)

George Chapman, discussed recreational use of water.

John Hiske, Senior Adviser, Utah League of Cities and Towns, expressed appreciation for the process in which the working groups were created and gave the position of the ULCT on changes to Article XI.

2 . Sunset Review - Commission for the Stewardship of Public Lands

Sen. David P. Hinkins gave a report on the activities and recommendations of the commission.

[2018 CSPL Annual Report to Natural Resources Interim Committee](#)

MOTION: Sen. Hinkins moved to recommend that the repeal date of the Commission for the Stewardship of Public Lands be extended for 10 years. The motion passed with a vote of 15 - 0 - 4 .

Yeas-15

Rep. C. Albrecht
Rep. P. Arent
Rep. S. Barlow
Sen. A. Christensen
Rep. S. Duckworth
Rep. S. Handy
Rep. T. Hawkes
Sen. D. Hinkins
Rep. M. Judkins
Rep. M. Noel
Rep. D. Owens
Rep. S. Sandall
Rep. M. Schultz
Rep. K. Stratton
Rep. C. Watkins

Nays-0

Absent-4

Rep. S. Chew
Sen. K. Grover
Sen. J. Iwamoto
Sen. E. Vickers

3 . Sunset Review - Instream Flow Water Right for Trout Habitat Established in Subsection 73-3-30(3)

Rep. Timothy D. Hawkes discussed instream flow rights, including leasing of water rights to fishing groups.

[Draft Legislation "Instream Flow Water Right Amendments"](#)

MOTION: Rep. Hawkes moved to adopt as a committee bill draft legislation, "Instream Flow Water Rights Amendments." The motion passed with a vote of 15 - 0 - 4 .

Yeas-15

Rep. C. Albrecht
Rep. P. Arent
Rep. S. Barlow
Sen. A. Christensen
Rep. S. Duckworth
Rep. S. Handy
Rep. T. Hawkes
Sen. D. Hinkins
Sen. J. Iwamoto
Rep. M. Judkins
Rep. M. Noel
Rep. D. Owens
Rep. S. Sandall
Rep. K. Stratton
Rep. C. Watkins

Nays-0

Absent-4

Rep. S. Chew
Sen. K. Grover
Rep. M. Schultz
Sen. E. Vickers

4 . Draft Legislation-"Rulemaking Fiscal Accountability Amendments"

Sen. Hinkins assumed the chair.

Chair Stratton introduced the draft legislation that would amend provisions of the Water Quality Board, rulemaking procedure, and the Administrative Rules Review Committee.

[Draft Legislation "Rulemaking Fiscal Accountability Amendments"](#)

Amanda Smith, Wasatch Front Water Quality Council, discussed legislative approval processes for nutrient standards within the bill.

Scott Baird, Deputy Director, Department of Environmental Equality, discussed concerns regarding cost estimates, and stringency of rules.

Erica Gaddis, Director, Division of Water Quality, discussed the need to create a nutrient policy for the state.

MOTION: Rep. Hawkes moved to approve the August 13, 2018, meeting minutes. The motion passed with a vote of 13 - 0 - 6 .

Yeas-13

Rep. C. Albrecht
Rep. S. Barlow
Sen. A. Christensen
Rep. T. Hawkes
Sen. D. Hinkins
Sen. J. Iwamoto
Rep. M. Judkins
Rep. M. Noel
Rep. D. Owens
Rep. S. Sandall
Rep. M. Schultz
Rep. K. Stratton
Rep. C. Watkins

Nays-0

Absent-6

Rep. P. Arent
Rep. S. Chew
Rep. S. Duckworth
Sen. K. Grover
Rep. S. Handy
Sen. E. Vickers

Rep. Stratton assumed the chair.

5 . Wildfire Update

Brian Cottam, Director, Division of Forestry, Fire, and State Lands, discussed the financial implications of wildfire activity in 2018.

MOTION: Sen. Hinkins moved to adjourn. The motion passed with a vote of 12 - 0 - 7 .

Yeas-12

Rep. C. Albrecht
Rep. S. Barlow
Sen. A. Christensen
Rep. T. Hawkes
Sen. D. Hinkins
Sen. J. Iwamoto
Rep. M. Judkins
Rep. D. Owens
Rep. S. Sandall
Rep. M. Schultz
Rep. K. Stratton
Rep. C. Watkins

Nays-0

Absent-7

Rep. P. Arent
Rep. S. Chew
Rep. S. Duckworth
Sen. K. Grover
Rep. S. Handy
Rep. M. Noel
Sen. E. Vickers